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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,070	11/29/2000	Morris Humphreys	NC25565	8676

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ROBERT C. ROLNIK
NOKIA INC.
6000 CONNECTION DRIVE
MD 1-4-755
IRVING, TX 75039

EXAMINER

MILORD, MARCEAU

ART UNIT PAPER NUMBER

2682

DATE MAILED: 07/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/726,070

Applicant(s)

HUMPHREYS ET AL.

Examiner

Marceau Milord

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1- 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sirola et al (US Patent No 6415138 B2) in view of Tyneski et al (US Patent No 5584054).

Regarding claims 1-3, Sirola et al discloses a flexible cover (4 of figs. 1-2) for a mobile station (1 of figs. 1-2) having a lens portion, said lens portion having a lens perimeter, and wherein said mobile station (1 of figs. 1-2) has at least one button portion (3b-3d of fig. 2) comprising: a front surface having a translucent portion (col. 3, lines 10- 52; col. 4, lines 34- 60) said translucent portion being capable of mounting over at least one button portion (col. 59- col. 4, line 15; col. 5, lines 44- 67).

However, Sirola et al does not specifically disclose the feature of at least one strap; and at least one rim wherein the rim may be stretched to hold the lens portion.

On the other hand, Tyneski et al, from the same field of endeavor, discloses a handset 100, which includes a housing 102 and a flap, or front cover, 104 coupled to the housing through

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a hinge 106. Also included on the inside flap 104 is a bumper 208 that sets the keys 108 and their associated pressure surfaces 204 a predetermined distance away from the surface of the lens 202 when the flag 104 is in the closed position (figs. 1-2; col. 1, lines 45- 66; col. 2, lines 9-36).

Furthermore, the bumper helps prevent false keys presses and also helps protects the lens 202 against breakages and scratches (col. 2, lines 38- 65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Tyneski to the system of Sirola in order to make the use of a wireless communication device, such as a mobile phone, more effective and, at the same time, more simple.

Regarding claims 4 and 5, Sirola as applied to claim 1 above differs from claims 4 and 5 in that Sirola fails to disclose one strap that comprises two straps; and a strap broad side that is contiguous with a surrounding surface of the at least one rim.

However, Tyneski et al discloses a handset 100, which includes a housing 102 and a flap, or front cover, 104 coupled to the housing through a hinge 106. Also included on the inside flap 104 is a bumper 208 that sets the keys 108 and their associated pressure surfaces 204 a predetermined distance away from the surface of the lens 202 when the flag 104 is in the closed position (figs. 1-2; col. 1, lines 45- 66; col. 2, lines 9-36). Furthermore, the bumper helps prevent false keys presses and also helps protects the lens 202 against breakages and scratches (col. 2, lines 38- 65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Tyneski to the system of Sirola in order to make the use of a wireless communication device, such as a mobile phone, more effective and, at the same time, more simple.

Regarding claims 6 and 7, Sirola as applied to claim 1 above differs from claims 6 and 7 in that Sirola fails to disclose a bumper near the rim at one extremity.

However, Tyneski et al discloses a handset 100, which includes a housing 102 and a flap, or front cover, 104 coupled to the housing through a hinge 106. Also included on the inside flap 104 is a bumper 208 that sets the keys 108 and their associated pressure surfaces 204 a predetermined distance away from the surface of the lens 202 when the flag 104 is in the closed position (figs. 1-2; col. 1, lines 45- 66; col. 2, lines 9-36). Furthermore, the bumper helps prevent false keys presses and also helps protects the lens 202 against breakages and scratches (col. 2, lines 38- 65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Tyneski to the system of Sirola in order to make the use of a wireless communication device, such as a mobile phone, more effective and, at the same time, more simple.

Regarding claim 8, Sirola et al as modified discloses a flexible cover (4 of figs. 1-2) for a mobile station (1 of figs. 1-2) wherein the translucent portion has at least one symbol (col. 4, lines 52- 67).

Claim Rejections - 35 USC § 103

3. Claims 9-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sirola et al (US Patent No 6415138 B2) in view of Feilner et al (US Patent No 6463263 B1).

Regarding claim 9, Sirola et al discloses a semi-rigid cover (4 of figs. 1-2) for a mobile station (1 of figs. 1-2) having a display (3 of fig. 2; col. 3, lines 15- 52) comprising: a transparent lens supported over the display (col. 4, lines 35- 67).

However, Sirola et al does not specifically disclose the feature of one key-dome switch comprising: at least one lever arm supporting at least one key-top over said at least one key-dome; at least one fastening means.

On the other hand, Feilner et al, from the same field of endeavor, discloses a communication station including a power supply unit, a core unit connectable to a power supply and a shell unit, wherein the core unit comprises an electronic circuit board including a keypad unit (col. 4, lines 29- 44). The keypad unit 14' of the core unit 1 is constituted by a dome foil 14 as a push-button switch array or a flexible board with switches A part of the switches of the keypad is formed by so-called domes of the dome foil, wherein a contact is provided on the lower surface of the dome foil and wherein this contact short-circuits the conductor pattern provided as part of the switches on the electronic circuit board (figs. 2- 6; col. 7, lines 30- 60; col. 8, lines 26- 63; lines 14- 60; col. 11, lines 7- 16; col. 11, line 47- col. 12, line 36). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Feilner to the system of Sirola in order to provide a communication station which has a structure which allows a flexible variation of its outer appearance and which can be manufactured easily and cost effectively.

Regarding claim 10, Sirola et al as modified discloses a semi-rigid cover (4 of figs. 1-2) for a mobile station (1 of figs. 1-2) wherein the transparent lens is elevated from a surrounding surface (col. 5, lines 19- 67).

Regarding claim 11, Sirola et al as modified discloses a semi-rigid cover (4 of figs. 1-2) for a mobile station (1 of figs. 1-2) wherein the transparent lens has at least one wall having an acute angle with the surrounding surface (col. 5, lines 57- col. 6, line 43).

Regarding claim 12, Sirola et al discloses a button configuration for a mobile station (figs. 1-2) comprising: a substantially flat elastomeric sheet extending over the key-top (col. 3, line 31- col. 4, line 10; col. 5, lines 1- 64).

However, Sirola et al does not specifically disclose the feature of a key-dome switch; a key-top supported over the key-dome switch.

On the other hand, Feilner et al, from the same field of endeavor, discloses a communication station including a power supply unit, a core unit connectable to a power supply and a shell unit, wherein the core unit comprises an electronic circuit board including a keypad unit (col. 4, lines 29- 44). The keypad unit 14' of the core unit 1 is constituted by a dome foil 14 as a push-button switch array or a flexible board with switches A part of the switches of the keypad is formed by so-called domes of the dome foil, wherein a contact is provided on the lower surface of the dome foil and wherein this contact short-circuits the conductor pattern provided as part of the switches on the electronic circuit board (figs. 2- 6; col. 7, lines 30- 60; col. 8, lines 26- 63; lines 14- 60; col. 11, lines 7- 16; col. 11, line 47- col. 12, line 36). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Feilner to the system of Sirola in order to provide a communication station which has a structure which allows a flexible variation of its outer appearance and which can be manufactured easily and cost effectively.

Regarding claims 13-16, Sirola et al as applied to claim 12 above differs from claims 13, 14, 15, 16 in that fails to disclose a key-top that is supported by a lever arm and a clear lever arm; and a common material that has a means for fastening to a printed circuit board.

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However, Feilner et al discloses a communication station including a power supply unit, a core unit connectable to a power supply and a shell unit, wherein the core unit comprises an electronic circuit board including a keypad unit (col. 4, lines 29- 44). The keypad unit 14' of the core unit 1 is constituted by a dome foil 14 as a push-button switch array or a flexible board with switches A part of the switches of the keypad is formed by so-called domes of the dome foil, wherein a contact is provided on the lower surface of the dome foil and wherein this contact short-circuits the conductor pattern provided as part of the switches on the electronic circuit board (figs. 2- 6; col. 7, lines 30- 60; col. 8, lines 26- 63; lines 14- 60; col. 11, lines 7- 16; col. 11, line 47- col. 12, line 36). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Feilner to the system of Sirola in order to provide a communication station which has a structure which allows a flexible variation of its outer appearance and which can be manufactured easily and cost effectively.

Regarding claim 17, Sirola et al as modified discloses a button configuration for a mobile station (figs. 1-2) wherein the substantially flat elastomeric sheet has a tactile cue (col. 5, lines 30- 64; col. 6, lines 32- 64).

Claim 18 contains similar limitations addressed in claims 12, 13 and 14, and therefore is rejected under a similar rationale.

Regarding claim 19, Sirola et al as modified discloses a button configuration for a mobile station (figs. 1-2) wherein the substantially flat elastomeric sheet has a symbol (col. 4, lines 35- 67).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ross et al US Patent No 5613223 discloses a bracing that connects and secures the internal components of a mobile communication system.

Johansson et al US Patent No 5983100 discloses an integrated local communication system comprising a plurality of locally-positioned communication devices, at least one of which locally positioned communication devices is coupled to a local interface module.

Lee US Patent No 6125289 discloses a portable terminal having dual flip covers including a body having a plurality of functions keys.

Kiivela et al US Patent No 6272359 B1 discloses a mobile communication device, which is constructed for use in communicating with a wireless communication network.

Laine et al US Patent No 6304430 B1 discloses a space saving mobile device.

Meyer, Jr et al US Patent No 5588041 discloses a cellular speakerphone including a housing containing a transceiver circuit, a processor and switching circuit, a coupler, and a hand-free user interface.

Reitmaa et al US Patent No 6424843 B1 discloses a telecommunication device comprising a speaker and a microphone in order to use the telecommunication device as a telephone.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 703-306-3023. The examiner can normally be reached on Monday-Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on 703-308-6739. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-305-9508 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


MARCEAU MILORD

Marceau Milord
Examiner
Art Unit 2682

July 21, 2003